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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 004141

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TAGS: PHUM PGOV KDEM KJUS I2

SUBJECT: US/GOI JOINT DETENTION FACILITY INSPECTIONS

REINSTATED

REF: BAGHDAD 1960

Classified By: Deputy Chief of Mission Daniel V. Speckhard for reasons 1.4 (b) and (d).

¶1. (C) Summary. Secretary General-designate of the Council of Ministers Ali Al-Allak told the DCM and TF-134 lead MG Gardner November 4 that he had issued the directive to re-instate joint GOI/USG inspections of Iraqi detention facilities. These inspections were suspended temporarily after the May 30 inspection of Site 4, during which the joint inspection team discovered multiple abuse and torture victims (ref). Al-Allak reported that the Prime Minister had given full support for the establishment of such a committee to be led by the Human Rights Minister and to include participation of the US. He cautioned, however, that the Prime Minister did not want the work of the inspection teams to be used as an opportunity to criticize the government, particularly through negative press. The DCM expressed understanding for this concern, but highlighted the importance of transparency and using the inspections as a way to underline GOI's proactiveness in addressing potential human rights abuses. In a subsequent meeting with PolCouns, RoLCoord, and TF-134 lead, Minister of Human Rights Wijdan Mikhail Salim enthusiastically reaffirmed her desire to conduct inspections in partnership with the US, and expressed willingness to begin planning efforts as early as next week. End Summary.

PM RE-ESTABLISHES JOINT INSPECTIONS

¶2. (C) In a meeting November 4 with the DCM, Secretary General of the Council of the Ministers Ali al-Allak confirmed that he had issued a directive November 1 to authorize resumption of joint GOI/USG Iraqi detention facility inspections, as per the instruction of Prime Minister al-Maliki. According to al-Allak, the directive authorizes the US to be a part of a joint inspection committee and directs the Ministry of Human Rights to head the efforts of the Iraqi government entities. The inspection committee will include the Ministries of Interior, Defense, Justice, Labor and Social Affairs, Health, and a representative from the judiciary and from the Prime Ministers Office. The findings of the committee would be forwarded to the Prime Ministers Office for follow-up. Al-Allak noted that the first step of the committee would be to establish common inspection standards and a checklist to enable inspection teams to conduct their work in a consistent and professional manner. MG Gardner explained that a common checklist had been used during prior joint inspections, and offered to share this with al-Allak.

¶3. (C) Al-Allak welcomed the assistance of the US and said

that the committee could theoretically meet as early next week. He explained that the Prime Minister recognized the existence of problems within detention facilities, and wished to work towards improvement via this committee and U.S. participation. That being said, al-Allak warned, the Prime Minister did not want the results of these inspections to be used against the government, particularly via the media. The DCM noted that efforts towards transparency were important and that these inspections could be used as a way to highlight the proactiveness of the government to recognize and address human rights abuses.

MINISTER OF HUMAN RIGHTS READY TO START

¶4. (C) In a separate meeting with PolCouns, RoLCoord, and TF-134 MG Gardner, Minister of Human Rights Wijdan Mikhaill Salim enthusiastically expressed her desire to resume the inspections, particularly in cooperation with U.S. partners. She indicated that this cooperation would be useful in uncovering secret detention facilities that her ministry had previously been unable to access, and others that were officially under the GOI but for all intensive purposes were controlled by militia elements. MG Gardner cautioned the Minister to proceed judiciously and initiate the inspection team first with routine inspections not likely to cause controversy, to be then followed by the "tougher" inspections. Minister Wijdan confirmed her willingness to begin planning within the next week.

COMMENT

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¶5. (C) The GOI/USG joint inspections concept, initiated after the November 2005 discovery of abuse at the Jadriyah bunker, has proved invaluable in discovering human rights abuses in other facilities. After the dissolution of the inspection team - which dissolved for reasons never clearly identified - the Human Rights Ministry continued to conduct its own inspections. However, its teams were often unable to pursue inspections in areas that were difficult to access for security or logistics reasons. Minister Wijdan has also noted in the past that members of her prisons inspections staff were subject to intimidation and reprisals, seriously compromising the quality of its reports. The re-authorization of joint inspections provides an opportunity to strengthen the framework for both Ministry of Human Rights and other Ministry IG offices (particularly MoJ, MoD and MoI) to conduct credible and unbiased inspections. It also will once again be an invaluable tool in discovering and preventing abuse in Iraqi detention facilities.
KHALILZAD